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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/789,491

02/26/2004

Mitsuaki Moritani

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7997

23392 7590 03/14/2007
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EXAMINER

VY, HUNG T

ART UNIT

PAPER NUMBER

2163

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

03/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/789,491

Applicant(s)

MORITANI ET AL.

Examiner

Hung T. Vy

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 13-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 & 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. As of entry of the Applicant's amendment filed on 01/03/2007, claims 1-20 are pending in this application with claims 12-16 had been withdrawn. Upon reconsideration, the rejection of claims 1-12 and 17-20 by Grimes or Ying et al. mailed on 10/2/2006 is hereby withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Knowles et al. and Grimes et al. The Applicant should cancel claims 12-16.

Claim Rejections - 35 U.S.C. § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12 and 17-20 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Knowles et al. (U.S. Pub. No. 20030046703) in view of Grimes et al. (U.S. Patent No. 20020057297).

With respect to claims 1, 8 and 17, Knowles et al. discloses a content management apparatus comprising: first acquiring (12) means for acquiring content information indicative of attributes of content stored (0031-0033 and 0027-0028) in a first storage device 16 connected to a first network (see fig. 2) that complies with a first communication protocol (0023); second acquiring (another 12) means for acquiring content information indicative of attributes of content (0031-0033 and 0027-0028)

stored in a second storage device (another 16) connect to a second network that complies with a second communication protocol different (universal plug and play, Jini and Salutation) with the first communication protocol (0023); and sorting means (*i.e.*, "a categorizer module 40 that is configured to communicate with the aggregator mode 30 and to use content meta information stored by the aggregator module to arrange the content stored within the network devices into one or more content categories based upon the content itself, and/or based upon stored rules for the user(0027)) for when creating list information of the content (*i.e.*, "arrange the content stored")) stored in the first (16) and second storage devices (another16) using the content information acquired by the first and second acquiring means (0027-0028) but Knowles et al. does not disclose displaying the list information in a unified format, executing sort processing of the list information according to setting information defining display methods on a user's interface.

However, Grimes et al. discloses displaying the list information (see fig. 5-7) in a unified format (*i.e.*, "hyper-text markup language"(0044)), executing sort processing (*i.e.*, "content 20 sorted by category and source" (0044)) of the list information according to setting information defining display methods on a user's interface (0032 or fig. 5-7). Grimes et al. discloses using user interface to management the data content in the network. Incorporating such User Interface also renders the over all that displaying content list includes any content represented by the selected category button and that is provided by the source of content represent by selected source button, thereby making the system managing with an easy to use (Grimes, 0009-0010). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Knowles et al.'s system with the teaching of Grimes et al. as displaying the list

information in a unified format, executing sort processing of the list information according to setting information defining display methods on user's interface in order to provide a personalized content manager , whereby a user can personalize multimedia content received from a multimedia content delivery system and provides an easy to user, customizable interface for viewing, listening or otherwise accessing multimedia content (Grimes et al., 0009-0010).

With respect to claims 2 and 18, Grimes et al. discloses the sorting means executes sort processing of the list information according to information in a setting file defining display methods for use when identical content is present (see paragraph 0043), using the information in the setting file as the setting information (see paragraph 0047).

With respect to claim 3, Grimes discloses the sorting means determines whether identical content information (categories) is present among the content information acquired by the acquiring means based on conditions (filter) for determining whether identical content is present (title), and executes designated sort processing of the list information including the identical content information (see paragraph 0047).

With respect to claim 4, Grimes discloses the sorting means determines whether identical content information is present among the content information acquired by the acquiring means according to judgment information (receive user filter 154) for determining whether identical content is present (using the filter)(see fig. 8), and executes designated sort processing of the list information including the identical content information according to information in a setting file defining display methods

for use when identical content is present, using the information in the setting file as the setting information (see fig. 8).

With respect to claim 5, Grimes discloses the setting information is information in a setting file containing information for determining, for each category of content (title), whether identical content is present and information defining display methods for user when identical content is present (see fig. 8).

With respect to claim 6, Grimes discloses display means for displaying in list form the list information sorted by the sorting means (see fig. 12-13).

With respect to claims 7 and 19, Grimes discloses sorting means is further operative for creating display list information according to filter-setting information (receive user filter 154) defining additional display method (see fig. 8).

With respect to claims 9, and 20, Grimes discloses the sorting means executes processing in which content failing to meet a content reproduction condition defined by the filter-setting information (user defines the filter) is removed from the list information (see figs. 9-12).

With respect to claim 10, Crimes discloses the sorting means creates the display list information defining a display style of content information of contend failing to meet a content reproduction condition defined by the filter-setting information (user define the filter)(see figs. 8-12), which is different from a display style designated to other content information (the move category and music category in fig. 5 have different type displaying)(see fig. 5).

With respect to claim 11, Crimes discloses the filter-setting information is information in a file defining, for each reproduction format of content, a permissible range of transmission speeds of a server managing content as a content reproduction condition, and each designation information of a display style for use when transmission speed of the server is outside the permissible range (see paragraph 0024-0025).

Response to Arguments

3. Applicant's arguments filed on 01/03/2007 have been fully considered and the rejection of claims 1-12 and 17-20 by Grimes or Ying et al. mailed on 10/2/2006 is hereby withdrawn but some of them are not persuasive. Applicant made the following arguments:

"Grimes also fails to disclose or suggest sorting means for, when creating list information of the content stored in the first and second storage devices using the content information acquired by the first and second acquiring means and displaying the list information in a unified format, executing sort processing of the list information according to setting information defining display methods on a user's interface. Although Grimes discloses a filtering technique related to content, Grimes merely discloses sorting of content into various categories (see [0043]), but not sort processing according to setting information that defines how the information is displayed on a user's interface." page 9, last paragraph.

The Applicant's arguments above are not persuasive because Knowles et al. and Grimes discloses sorting means (Grimes, *i.e.* "type of category into which content is arranged is

dependent on the given content format and upon store rules" (0027)) list information (Grimes, i.e. "listing of all jazz audio files on the network" (0032) or "audio player 52 to retrieve and play audio content from the various network devices 12 in response to user selection of channel created by the categorizer module 40" (0033)) and display the content with different format depend to setting information defining display method on a user's interface (Grimmer, 0035-0036, 0043 and fig. 5). Further, Grimes discloses the sorting of content into various categories (0043) and also executing sort processing of the list information defining display methods on user's interface as user defines the display by the query, the result of query will display on the user interface (see fig. 5-7). This is setting information defining display method on a user's interface.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Vy whose telephone number is 571-2721954. The examiner can normally be reached on 8.30am - 5.30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571 272 1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hung T. Vy
Art Unit 2163
March 6, 2007

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Vy whose telephone number is 571-2721954. The examiner can normally be reached on 8.30am - 5.30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571 272 1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Hung T. Vy
Art Unit 2163
September 21, 2006.

A handwritten signature in black ink, appearing to read 'Tim Vo', with a stylized, flowing script.

TIM VO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100